

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

PAIGE CARTER, Special Administrator of ) Case No. 8:23-cv-485  
the ESTATE OF KEVIN C. )  
CARTER, Deceased, )  
Plaintiff, )  
vs. )  
SCOTT FRAKES, et al., )  
Defendants. )

**STATUS UPDATE  
REGARDING MEDIATION**

COME NOW the Plaintiff, Paige Carter, Special Administrator of the Estate of Kevin C. Carter, Deceased, and the Defendants, Scott Frakes, Michele Wilhelm, Dr. Harbans Deol, Shelby Barragan-Lopez, Michael McCann, Charice Talley, Jeffery Reed, Douglas Heminger, Matt Heckman, Franklin Howard, and Kim McGill (“the parties”), through respective undersigned counsel, and hereby provide the Court with a status update regarding mediation, pursuant to the Court’s Order ([Filing 76](#)) dated February 28, 2025, as follows:

1. On March 26, 2025, the parties, through counsel, participated in mediation, which has resulted in a settlement.
2. The parties have signed a Settlement Agreement dated April 2, 2025.
3. Plaintiff has agreed to dismiss her claims, subject to the approval of the Nebraska State Legislature and satisfaction of payment.
4. Within three (3) days of final payment to the Plaintiff, the parties agree to file a joint stipulation for dismissal (or other dispositive stipulation) that will fully dispose of this case.

Dated this 14<sup>th</sup> day of April, 2025.

PAIGE CARTER, as Special Administrator of the Estate of Kevin C. Carter, Deceased, Plaintiff.

By: s/ Rodney C. Dahlquist, Jr.

Thomas J. Monaghan, #12874  
Rodney C. Dahlquist, Jr., #23912  
Dornan, Howard, Breitkreutz,  
Dahlquist & Klein PC LLO  
1403 Farnam Street, Suite 232  
Omaha, Nebraska 68102  
(402) 884-7044 (phone)  
(402) 884-7045 (fax)  
Attorneys for Plaintiff

Scott Frakes, Michele Wilhelm, Dr. Harbans Deol, Shelby Barragan-Lopez, Michael McCann, Charice Talley, Jeffery Reed, Douglas Heminger, Matt Heckman, Franklin Howard, and Kim McGill, in their individual capacities, Defendants.

BY: MICHAEL T. HILGERS, #24483  
Nebraska Attorney General

BY: s/ Katharine L. Gatewood

Katharine L. Gatewood, #25238  
Christopher A. Felts, #26784  
Assistant Attorney General  
Office of the Attorney General  
2115 State Capitol  
Lincoln, Nebraska 68509-8920  
Telephone: (402) 471-3833  
[Kate.gatewood@nebraska.gov](mailto:Kate.gatewood@nebraska.gov)  
[Christopher.felts@nebraska.gov](mailto:Christopher.felts@nebraska.gov)

#### **CERTIFICATE OF SERVICE**

I hereby certify that on April 14, 2025, I have electronically filed the foregoing document with the Clerk of the District Court using the CM/ECF system which sent notification of such filing to the parties of record.

s/ Rodney C. Dahlquist, Jr.

RODNEY C. DAHLQUIST, JR., #23912